

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with the applicants' attorney Mr. Ira J. Schultz on 9/8/2009.

The application has been amended as follows:

IN THE CLAIMS:

Claim 29, line 4, after "which", --said at least one-- has been inserted.

Claim 35, line 4, after "which", --said at least one-- has been inserted.

Claims 28,31 and 37 have been cancelled.

IN THE SPECIFICATION:

On page 1, between line 2 of the preliminary amendment and line 3, --
BACKGROUND OF THE INVENTION-- has been inserted; on page 3, lines 6-8, "This
object is achieved in accordance with the invention by a dispensing device in
accordance with the features of claim 1. Advantageous embodiments of the invention
are given in the subordinate claims" has been deleted and --SUMMARY OF THE
INVENTION-- has been inserted; on page 6, between lines 18 and 19, --BRIEF
DESCRIPTION OF THE DRAWINGS-- has been inserted; on page 7, between lines 1
and 2, --DESCRIPTION OF THE PREFERRED EMBODIMENT-- has been inserted.

On page 2 of the abstract, line 7, “means” has been deleted and --device-- has been inserted.

Allowable Subject Matter

2. Claims 25,29-30,32-33,35-36,38 are allowed.
3. The following is an examiner’s statement of reasons for allowance: the prior art fails to disclose or render obvious dispensing device for fluid substances in combination with the other claimed limitations of claims 25,33:

“each said spring arm having a proximal end at which the spring arm is attached to the receiving element and a free, distal end, each said spring arm having a projection formed thereon adjacent the proximal end for undercut engagement with the mixing nozzle, the projection forming a rigid counter-bearing with respect to the elastically deformable spring arm”.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frederick C. Nicolas whose telephone number is (571)-272-4931. The examiner can normally be reached on Monday - Friday from 9:00 AM to 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin P. Shaver, can be reached on 571-272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Frederick C. Nicolas/
Primary Examiner, Art Unit 3754